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April 7, 2023

VIA ECF

The Honorable Ona T. Wang
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Cassava Sciences, Inc. v. Bredt, et al., No. 22-cv-9409(GHW)(OTW):
Joint Status Letter Pursuant to March 27, 2023 Order of Magistrate Judge
Ona T. Wang (Dkt. 93)

Dear Judge Wang:

Pursuant to the Court's March 27, 2023 Order, Plaintiff Cassava Sciences, Inc. ("Cassava") and Defendants David Bredt, Geoffrey Pitt, Quintessential Capital Management LLC ("QCM"), Adrian Heilbut, Jesse Brodtkin and Patrick Markey (Plaintiffs and Defendants, collectively, the "Parties"), submit this joint status letter regarding the issuance of third party preservation notices.

The Parties have served document preservation notices to all third parties identified in the Parties' Rule 26(a) Initial Disclosures. Defendant QCM also represents that it has directed preservation notices to additional third parties that were not identified by name in the November 3, 2021 Quintessential Capital Management Report on Cassava (annexed as Exhibit 8 to Cassava Sciences, Inc's First Amended Complaint) and from whom Cassava has indicated it intends to take discovery.

Cassava contends that QCM was required to identify those third parties in its Rule 26(a)(1) Disclosures and reserves all rights with respect to that alleged failure. QCM contends that it was required to identify only “each individual likely to have discoverable information—along with the subjects of that information—that [QCM] may use to support its claims or defenses” (Fed. R. Civ. P. 26(a)(1)(A)(i)) and it has identified all such individuals, while reserving its rights to amend the Disclosures.

Respectfully submitted,

BENESCH, FRIEDLANDER,
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